

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	
Don Hannula et al.	§	Group Art Unit: 3765
	§	
Application No.: 10/779,331	§	Confirmation No.: 5219
	§	
Filed: February 13, 2004	§	Examiner: Larry D. Worrell, Jr.
	§	
For: HEADBAND WITH TENSION	§	Atty. Docket: TYHC:0128/FLE/BAK
INDICATOR	§	P0402S-01A

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. § 1.6(d), or is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.6(a)(4), or is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
<u>August 31, 2009</u> Date	<u>/Jila Bakker/</u> Jila Bakker

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§ 1.97(c) AND 1.98**

In compliance with the duty of disclosure under 37 C.F.R. § 1.56(a), it is respectfully requested that this Supplemental Information Disclosure Statement be entered and that the listed references be considered by the Examiner and made of record. Applicants note that, due to recent amendments to 37 C.F.R. § 1.98(a), copies of the listed domestic references are no longer required to be submitted to the Examiner.

In accordance with 37 C.F.R. § 1.97, this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b), or as a representation that no other possibly material information, as defined in 37 C.F.R. § 1.56(b), exists.

Furthermore, the references listed on the attached PTO/SB/08 Form is not to be construed as an admission that these references qualify as prior art as to the above-referenced application or any related application. Rather, these references are being presented for the Examiner's consideration without prejudice to the right to demonstrate that any of these references do not qualify as prior art should the Examiner choose to apply any of these references.

The following information is listed on the attached PTO/SB/08 Form in accordance with 37 C.F.R. §1.98. Any explanation of non-English language documents contained in this Supplemental Information Disclosure Statement is believed to constitute a concise explanation of the relevance of the listed reference as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the listed reference, in accordance with 37 C.F.R. § 1.98(a)(3).

In accordance with 37 C.F.R. §1.97(c) a fee of \$180.00 is due for the present Supplemental Information Disclosure Statement. The Commissioner is authorized to charge any missing fee, and any additional fee which may be required, to Deposit Account No. 06-1315; Order No. TYHC:0128 /FLE (P0402S-01A).

Respectfully submitted,

Date: August 31, 2009

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